

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

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U.S.C.A. #

U.S.D.C. #

JUDGE:

DATE:

Almeyda

-v-

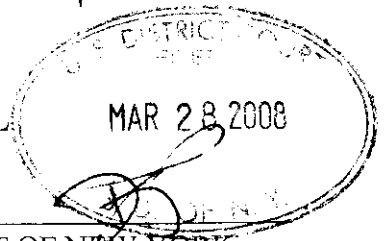
Nicholas

08-cv-0304

KMW

MAR. 28, 2008

INDEX TO THE RECORD ON APPEAL



PREPARED BY (NAME): THOMAS R. PISARCZYK
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

** ONLY CIRCLED DOCUMENTS ARE INCLUDED **

** ALL OTHERS MISSING AT THIS TIME **

(X) Original Record

() Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 28th Day of March, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-v-

DATE: MAR 28 2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered ____ Through ____, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Document Description

BALANCE OF FILE MISSING AT THIS TIME

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 28th Day of March In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

Deputy Clerk

APPEAL, CLOSED, HABEAS, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-00304-KMW
Internal Use Only

Almeyda v. Nicholas et al
Assigned to: Judge Kimba M. Wood
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 01/14/2008
Date Terminated: 01/14/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
01/14/2008	<u>1</u>	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Ralph Almeyda.(laq) (Entered: 01/23/2008)
01/14/2008		Magistrate Judge Ronald L. Ellis is so designated. (laq) (Entered: 01/23/2008)
01/14/2008	<u>2</u>	ORDER OF DISMISSAL. The Clerk of Court is directed to assign a docket number to this matter. For the reasons set forth in this order, petition is dismissed. Accordingly, petitioner's application for a writ of habeas corpus under 28 U.S.C. 2254 is dismissed. As the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. I certify pursuant to 28 U.S.C. 1915(a) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/14/08) (laq) (Entered: 01/23/2008)
01/14/2008	<u>3</u>	JUDGMENT. Ordered, Adjudged and Decreed: That the petition is hereby dismissed.... a certificate of appealability will not issue.... We certify pursuant to 28 U.S.C. 1915(a) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 1/14/08) (laq) (Entered: 01/23/2008)
01/30/2008	<u>4</u>	MOTION for Reconsideration of the Court's January 14, 2008 dismissal of his habeas action (2254). Document filed by Ralph Almeyda.(dj) (Entered: 02/04/2008)
02/25/2008	5	ORDER; denying <u>4</u> Motion for Reconsideration. The Clerk of Court is directed to accept no further submissions under this docket number, except for papers directed to the U.S.C.A. for the Second Circuit. As the motion makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. section 2253; I certify pursuant to 28 U.S.C. section 1915(a)(3) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 2/25/08) (ac) (Entered: 02/26/2008)
03/21/2008	<u>6</u>	NOTICE OF APPEAL from <u>5</u> Order on Motion for Reconsideration. Document filed by Ralph Almeyda. (tp) (Entered: 03/28/2008)
03/21/2008		Appeal Remark as to <u>6</u> Notice of Appeal filed by Ralph Almeyda. \$455.00 APPEAL FEE DUE. IFP REVOKED 2/25/08. COA DENIED 2/25/08. (tp) (Entered: 03/28/2008)
03/28/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>6</u> Notice of Appeal. (tp) (Entered: 03/28/2008)
03/28/2008		Transmission of Notice of Appeal to the District Judge re: <u>6</u> Notice of Appeal. (tp) (Entered: 03/28/2008)